

ASSEMBLY BILL

No. 700

Introduced by Assembly Member Jerome Horton

February 17, 2005

An act to amend Sections 69434, 69435.3, and 69436 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 700, as introduced, Jerome Horton. Student financial aid: Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program.

Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, establishes the Cal Grant A and B entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

This bill would declare the intent of the Legislature to provide aid to all financially needy students, irrespective of their ages, who meet the requirements for a Cal Grant award. The bill would, with respect to eligibility requirements for the Cal Grant A and B Entitlement awards and the California Community College Transfer Entitlement awards, eliminate a requirement that recipients graduate from a California high school during or after the 2000–01 academic year. With respect to the California Community College Transfer Entitlement awards, this bill would additionally delete a requirement that the recipients of those awards must not meet the federal definition of “independent student,” which generally defines as independent any student whose age is 24 or older.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to provide aid
2 to all financially needy students, irrespective of their ages, who
3 meet the requirements for a Cal Grant award.

4 SEC. 2. Section 69434 of the Education Code is amended to
5 read:

6 69434. (a) Commencing with the 2001–02 academic year,
7 and each academic year thereafter, a Cal Grant A award shall be
8 used only for tuition or student fees, or both, in a for-credit
9 instructional program with a length of not less than two academic
10 years. Each student who meets the Cal Grant A qualifications as
11 set forth in this article shall be guaranteed an award. The amount
12 of any individual award is dependent on the cost of tuition or
13 fees, or both, at the qualifying institution at which the student is
14 enrolled. For each applicant, the award amount shall not exceed
15 the amount of the calculated financial need.

16 (b) Pursuant to Section 66021.2, any California resident is
17 entitled to a Cal Grant A award, and the commission shall
18 allocate that award, if all of the following criteria are met:

19 (1) The student has submitted, pursuant to Section 69432.9, a
20 complete financial aid application, submitted or postmarked no
21 later than March 2 of the academic year ~~of high school~~
22 ~~graduation or its equivalent for the award year immediately~~
23 ~~following the academic year of high school graduation or its~~
24 ~~equivalent, or no later than March 2 of the academic year~~
25 ~~following high school graduation or its equivalent for the second~~
26 ~~award year following the year of high school graduation or its~~
27 ~~equivalent immediately preceeding the award year.~~

28 (2) The student demonstrates financial need pursuant to
29 Section 69433.

30 (3) The student attains a high school grade point average of at
31 least 3.0 on a four-point scale.

32 (4) The student's household has an income and asset level that
33 does not exceed the level for Cal Grant A recipients set forth in
34 Section 69432.7.

1 (5) The student is pursuing an undergraduate academic
2 program of not less than two academic years that is offered by a
3 qualifying institution.

4 (6) The student is enrolled at least part time.

5 (7) The student meets the general Cal Grant eligibility
6 requirements set forth in Article 1 (commencing with Section
7 69430).

8 ~~(8) The student graduated from high school or its equivalent~~
9 ~~during or after the 2000-01 academic year.~~

10 (c) A student who meets the Cal Grant A Entitlement Program
11 criteria specified in this article shall receive a Cal Grant A award
12 for tuition or fees, or both, pursuant to Section 66021.2.

13 SEC. 3. Section 69435.3 of the Education Code is amended to
14 read:

15 69435.3. (a) Any California resident is entitled to receive a
16 Cal Grant B award, and the commission shall allocate that award
17 pursuant to Section 66021.2, if all of the following criteria are
18 met:

19 (1) The student has submitted, pursuant to Section 69432.9, a
20 complete financial aid application, submitted or postmarked no
21 later than March 2 of the academic year ~~of high school~~
22 ~~graduation or its equivalent for the award year immediately~~
23 ~~following the academic year of high school graduation or its~~
24 ~~equivalent, or no later than March 2 of the academic year~~
25 ~~following high school graduation or its equivalent for the second~~
26 ~~award year following the year of high school graduation or its~~
27 ~~equivalent immediately preceding the award year.~~

28 (2) The student demonstrates financial need pursuant to
29 Section 69433.

30 (3) The student attains a high school grade point average of at
31 least 2.0 on a four-point scale.

32 (4) The student's household has an income and asset level that
33 does not exceed the level for Cal Grant B recipients as set forth
34 in Section 69432.7.

35 (5) The student is pursuing an undergraduate academic
36 program of not less than one academic year that is offered by a
37 qualifying institution.

38 (6) The student is enrolled at least part-time.

(7) The student meets the general Cal Grant eligibility requirements set forth in Article 1 (commencing with Section 69430).

~~(8) The student graduated from high school or its equivalent during or after the 2000–01 academic year.~~

(b) A student who meets the Cal Grant B Entitlement Program criteria specified in this article shall receive a Cal Grant B award for access costs and tuition and fees pursuant to Section 66021.2.

SEC. 4. Section 69436 of the Education Code is amended to read:

69436. (a) Commencing with the 2001–02 academic year, and each academic year thereafter, a student who was not awarded a Cal Grant A or B award pursuant to Article 2 (commencing with Section 69434) or Article 3 (commencing with Section 69435) at the time of his or her high school graduation but, at the time of transfer from a California community college to a qualifying baccalaureate program, meets all of the criteria set forth in subdivision (b), shall be entitled to a Cal Grant A or B award.

(b) Any California resident transferring from a California community college to a qualifying institution that offers a baccalaureate degree is entitled to receive, and the commission shall award, a Cal Grant A or B award depending on the eligibility determined pursuant to subdivision (c), if all of the following criteria are met:

(1) A complete official financial aid application has been submitted or postmarked pursuant to Section 69432.9, no later than the March 2 of the *academic* year immediately preceding the award year.

(2) The student demonstrates financial need pursuant to Section 69433.

(3) The student has earned a community college grade point average of at least 2.4 on a 4.0 scale and is eligible to transfer to a qualifying institution that offers a baccalaureate degree.

(4) The student's household has an income and asset level not exceeding the limits set forth in Section 69432.7.

(5) The student is pursuing a baccalaureate degree that is offered by a qualifying institution.

(6) He or she is enrolled at least part-time.

1 (7) The student meets the general Cal Grant eligibility
2 requirements set forth in Article 1 (commencing with Section
3 69430).

4 ~~(8) The student does not meet the federal definition of an~~
5 ~~independent student, as set forth in subsection (d) of Section~~
6 ~~1087vv of Title 20 of the United States Code, with the exception~~
7 ~~of:~~

8 ~~(A) A student who is an orphan or a ward of the court and who~~
9 ~~will not be 24 years old or older by December 31 of the award~~
10 ~~year.~~

11 ~~(B) A student who is a veteran of the United States Armed~~
12 ~~Forces and who will not be 24 years old or older by December 31~~
13 ~~of the award year.~~

14 ~~(C) A student who is a married person and who will not be 24~~
15 ~~years old or older by December 31 of the award year.~~

16 ~~(D) A student who will not be 24 years old or older by~~
17 ~~December 31 of the award year and who has dependents other~~
18 ~~than a spouse.~~

19 ~~(E) A student who will not be 24 years old or older by~~
20 ~~December 31 of the award year and for whom a financial aid~~
21 ~~administrator makes documented determination of independence~~
22 ~~by reason of other unusual circumstances.~~

23 ~~(9) The student graduated from a California high school or its~~
24 ~~equivalent during or after the 2000-01 academic year.~~

25 (c) The amount and type of the award pursuant to this article
26 shall be determined as follows:

27 (1) For applicants with income and assets at or under the Cal
28 Grant A limits, the award amount shall be the amount established
29 pursuant to Article 2 (commencing with Section 69434).

30 (2) For applicants with income and assets at or under the Cal
31 Grant B limits, the award amount shall be the amount established
32 pursuant to Article 3 (commencing with Section 69435).